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**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

APPLICANTS: Frank Paetzold et al.  
PATENT NO.: 6,940,454  
ISSUE DATE : September 6, 2005  
APPLICATION NO.: 09/929,516  
FILING DATE: August 13, 2001  
TITLE: Method and System for Generating Facial Animation Values Based  
on a Combination of Visual and Audio Information  
ATTY. DKT. NO.: 24207-12244

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**APR 20 2009**  
**OFFICE OF PETITIONS**

**ITEMIZED DEFICIENCY STATEMENT FOR DELAYED NOTIFICATION OF LOSS  
OF SMALL ENTITY STATUS, PURSUANT TO 37 CFR § 1.28(c) and (d).**

SIR:

The Patent and Trademark Office is hereby notified with respect to the subject patent that small entity status is no longer appropriate. Patent maintenance fees should be paid as large entity.

Applicants hereby file an Itemization of the Deficiency Payment along with a Payment of the Deficiency Owed.

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**FACSIMILE TRANSMISSION****CONFIDENTIAL****DATE:** April 13, 2009**CLIENT-MATTER No.:** 24207-12244**To:**

NAME	FAX No.	PHONE No.
Commissioner of Patents Maintenance Fee Branch	571-273-6500	

**FROM:** Robert R. Sachs**PHONE:** 415) 875-2410**SENT BY:** Sarah Glenn**PHONE:** (650) 335-7937**NUMBER OF PAGES WITH COVER PAGE:** 4**ORIGINAL WILL NOT FOLLOW****MESSAGE:**

Please see attached Itemized Deficiency Statement for Delayed Notification of Loss of Small Entity Status.

**CAUTION - CONFIDENTIAL**

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## **I. ITEMIZATION OF THE DEFICIENCY PAYMENT**

Following is a list of each particular type of fee that was erroneously paid as a small entity, the current fee amount for a non-small entity, the small entity fee actually paid, and the date of payment:

1. First maintenance fee was paid on March 6, 2009. The amount of \$490 was paid. Under 37 CFR § 1.20(e), the current fee amount for first maintenance fee for a non-small entity is \$980. Under 37 CFR § 1.28(c)(2)(i), the deficiency amount owed based on this transaction is equal to the amount (previously) paid in error, i.e. \$490.
2. The total deficient payment owed is \$490.

## **II. PAYMENT OF THE TOTAL DEFICIENCY PAYMENT OWED**

Please charge my Deposit Account No. 19-2555 in the amount of \$490 to cover the above fees. The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2555.

### III. CONCLUSION

By filing this statement, Applicants have complied with the requirements for having this error excused pursuant to 37 CFR § 1.28(c).

Pursuant to 37 CFR § 1.28(d), the present deficiency payment submitted under 37 CFR 1.28(c) is treated as a notification of a loss of entitlement to a small entity status. Accordingly, Applicants respectfully urge the Office to accept the present notification of change in entity status.

Respectfully submitted,  
FRANK PAETZOLD ET AL.

Dated: April 13, 2009

By: Robert R. Sachs/  
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